



IN THE
Supreme Court of the United States

October Term, 1976
No. **76-1112**

RALPH WILLIAMS' NORTHWEST CHRYSLER PLYMOUTH,
INC.; RALPH WILLIAMS, INC. AND RALPH WILLIAMS,
Appellants,

vs.

STATE OF WASHINGTON,

Appellee.

Appeal From the Supreme Court of the State of Washington.

**SUPPLEMENTAL JURISDICTIONAL
STATEMENT.**

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**SUPPLEMENTAL JURISDICTIONAL
STATEMENT.**

As a supplement to the Jurisdictional Statement heretofore filed by appellants in the above matter, annexed hereto, marked Appendix H, is a copy of the Notice of Appeal to the Supreme Court of the United States of America. It should be noted that Appendix H is identical with that of Appendix G of the Jurisdictional Statement, except Appendix H contains a designation of the King County Superior Court stamp thereon.

Annexed hereto, and marked Appendix I is a copy of the Remittitur from the Washington State Supreme Court, dated October 4, 1976, setting forth that the Supreme Court of Washington's Opinion on the Judgment and Decree (Appendix C) and Order of Restitution (Appendix D) of the Jurisdictional Statement, became final on October 4, 1976.

Annexed hereto, and marked Appendix J is a copy of the Remittitur from the Washington State Supreme Court, dated October 5, 1976, setting forth that the Supreme Court of Washington's Opinion, with respect to those Orders specified in Appendices E and F, of the Jurisdictional Statement, became final on October 5, 1976.

As noted therein, each cause was remanded to the Superior Court of King County for further proceedings in accordance with the Opinions of the Washington State Supreme Court (Appendices A and B of the Jurisdictional Statement).

Thus, the Opinions of the Washington State Supreme Court became final on October 4, 1976 and October 5, 1976, respectively, in accordance with Rule 12.5 of the Rules of Appellate Procedure under subsection (c)(2) thereof.

In accordance with the Remittitur, the cases were remanded to the King County, Washington Superior Court and, after further proceedings, an Amended Judgment, amending the Judgment and Decree and Order of Restitution (Appendices C and D of the Jurisdictional Statement) was signed by the King County Superior Court trial judge on November 8, 1976. In accordance with Rule 5.2(e) of the Washington Rules of Appellate Procedure, the Amended Judgment, amending the Judgment and Order (Appendices C and D of the Jurisdictional Statement) became final on December 8, 1976. A copy of the Amended Judgment is annexed hereto, and marked Appendix K hereto.

Respectfully submitted,

RONALD L. HARTMAN of
HARTMAN, HAILE & HUGHES,
Attorneys for Appellants.

APPENDIX H.

Notice of Appeal to the Supreme Court of the United States of America.

In the Superior Court of the State of Washington
for King County.

State of Washington, Plaintiff, vs. Ralph Williams'
North West Chrysler Plymouth, Inc., et al., Defendants.
No. 729320.

To: Clerk of the above-entitled court, the State of
Washington, and Slade Gorton, its attorney.

Received: Dec. 17, 1976.

ALL DEFENDANTS in the above-entitled proceeding do hereby appeal to and seek review by the Supreme Court of the United States of America of each and every part of the following:

1. King County Cause No. 729320:

A. Each and every finding of fact and conclusion of law entered by the Superior Court for King County, David W. Soukup, Judge, on December 9, 1974, in Cause No. 729320 In Support of Judgment and Decree and Order Concerning Restitution.

B. Each and every part of that judgment and decree entered by the Superior Court for King County, David W. Soukup, Judge, on December 9, 1974, in Cause No. 729320.

C. Each and every part of that order concerning restitution entered by the Superior Court for King County, David W. Soukup, Judge, on December 9, 1974, in Cause No. 729320.

D. Each and any and all other orders so entered or contained in said cause.

E. Each and every part of that certain "Order Directing Payment of Terms" entered by the Superior Court for King County, David W. Soukup, Judge, on September 10, 1974, in Cause No. 729320.

F. Each and every part of that certain "Order Imposing Sanctions For Contempt" entered by the Superior Court for King County, David W. Soukup, Judge, on April 7, 1975, in Cause No. 729320.

G. Each and every part of that certain "Order Finding Defendants in Contempt" entered by the Superior Court for King County, David W. Soukup, Judge, on March 21, 1975, in Cause No. 729320.

H. Any and all matters, written orders or show causes related to or associated with that certain "Order Imposing Sanctions for Contempt" and that certain "Order Finding Defendants in Contempt";

2. Any and all decisions, and all matters relating thereto, of the Supreme Court of the State of Washington, Cause No. 43644, and Cause No. 43745 (combined), Remittitur filed and entered on October 4, 1976;

3. Any and all decisions and orders and all matters relating thereto, of the Supreme Court of the State of Washington, Cause No. 43730, Remittitur filed and entered on October 5, 1976;

4. And any and all other decisions, orders, or determinations by the Superior Court of the State of Washington in and for King County, related to, arising from, or in any way connected with any of the above decisions, orders or otherwise; including, but not limited to any other matter or item (such as issuance of bench warrants) occurring in the trial court subsequent to the appeal from said trial court to the Supreme

Court of the State of Washington, Cause Nos. 43644, 43745, and 43730, or any other matter occurring or taking place in the Superior Court of the State of Washington in and for King County subsequent to the decision and/or remand by the Supreme Court of the State of Washington, and/or any matter occurring after the entry and filing of the Remittiturs of October 4, 1976, and October 5, 1976.

DATED this 17th day of December, 1976.

Respectfully submitted,
/s/ by Ronald L. Hartman
RONALD L. HARTMAN, of attorneys
for Defendants, Ralph Williams'
North West Chrysler Plymouth,
Inc., Ralph Williams, Inc., or
Ralph Williams individually.

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APPENDIX I.

Remittitur.

In the Supreme Court of the State of Washington.

The State of Washington, Respondent, v. Ralph Williams' North West Chrysler Plymouth, Inc., et al., Appellants. No. 43644, 43745; King County No. 729320; Court of Appeals, Division No. I Nos. 3491-I, 3278-I.

The State of Washington to: The Superior Court of the State of Washington in and for King County:

This is to certify that the opinion of the Supreme Court of the State of Washington filed on July 22, 1976, became the final judgment of this court in the above entitled case on October 4, 1976. This cause is remitted to the superior court from which the appeal was taken for further proceedings in accordance with the attached true copy of the opinion.

Pursuant to Rule 55 on Appeal, costs are taxed as follows:

\$2,781.50 in favor of respondent and against appellants.

Respondent's petition for ruling on attorney's fees is disposed of in accordance with the attached order.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court at Olympia, this 4th day of October, A.D. 1976.

/s/ John J. Champagne
JOHN J. CHAMPAGNE
*Clerk of the Supreme Court,
State of Washington*

cc:

Young & Cole

Mr. James Young

Hon. Slade Gorton, Atty. General

Mr. Thomas L. Boeder, Mr. John R. Ellis

Ms. Barbara J. Rothstein

Caidin, Kalman, Hartman & Sampson

Mr. Ronald L. Hartman

Reporter of Decisions

Div. I, C/A

[SEAL]

Order.

The Supreme Court of Washington.

State of Washington, Respondent, v. Ralph Williams' North West Chrysler Plymouth, Inc.; et al., Appellants, Robert Friedman, both as Vice-President of Ralph Williams' North West Chrysler Plymouth, Inc., and individually, Defendant. No. 43644.

State of Washington, Respondent, v. Ralph Williams' North West Chrysler Plymouth, Inc., et al., Appellants. Robert Friedman, both as Vice-President of Ralph Williams' North West Chrysler Plymouth, Inc., and individually, Defendant. No. 43745.

Filed: Oct. 4, 1976.

Counsel for respondent in the above entitled cause having filed a cost bill which included a claim for reasonable attorney's fees pursuant to RCW 19.86.080, and it appearing that respondent substantially prevailed in the cause; Now, therefore, it is hereby

ORDERED:

(a) Counsel for respondent may be entitled to the award of reasonable attorney's fee for representing respondent.

(b) The amount, if any, is remanded for determination by the Superior Court of the State of Washington, in and for King County.

DATED at Olympia, Washington, this 4th day of October, 1976.

/s/ Illegible

/s/ Illegible

/s/ Illegible

/s/ Illegible

/s/ Illegible

/s/ Illegible

/s/ Illegible

/s/ Illegible

APPENDIX J.

Remittitur.

In the Supreme Court of the State of Washington.

The State of Washington, Respondent, v. Ralph Williams' North West Chrysler Plymouth, Inc., et al., Appellants. No. 43730, King County No. 729320.

The State of Washington to: The Superior Court of the State of Washington in and for King County:

This is to certify that the opinion of the Supreme Court of the State of Washington filed on July 22, 1976, became the final judgment of this court in the above entitled case on October 5, 1976. This cause is remitted to the superior court from which the appeal was taken for further proceedings in accordance with the attached true copy of the opinion.

Pursuant to Rule 55 on Appeal, costs are taxed as follows:

\$44.00 in favor of respondent and against appellants.

Respondent's petition for ruling on attorney's fees is disposed of in accordance with the attached order.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court at Olympia, this 4th day of October, A.D. 1976.

/s/ John J. Champagne
JOHN J. CHAMPAGNE
Clerk of the Supreme Court,
State of Washington

cc:

Young & Cole
Mr. James Young

Hon. Slade Gorton, Atty. Gen.

Mr. Thomas L. Boeder

Ms. Barbara J. Rothstein

Mr. John R. Ellis

Caidin, Kalman, Hartman & Sampson

Mr. Ronald L. Hartman

Reporter of Decisions

[Seal]

Order.

The Supreme Court of Washington.

State of Washington, Respondent, v. Ralph Williams' North West Chrysler Plymouth, Inc.; et al., Appellants, Robert Friedman, both as Vice-President of Ralph Williams' North West Chrysler Plymouth, Inc., and individually, Defendant. No. 43730.

Filed: Oct. 4, 1976.

Counsel for respondent in the above entitled cause having filed a cost bill which included a claim for reasonable attorney's fees pursuant to RCW 19.86.080, and it appearing that respondent substantially prevailed in the cause; Now, therefore, it is hereby

ORDERED:

(a) Counsel for respondent may be entitled to the award of reasonable attorney's fee for representing respondent.

(b) The amount, if any, is remanded for determination by the Superior Court of the State of Washington, in and for King County.

DATED at Olympia, Washington, this 4th day of October, 1976.

/s/ Illegible

/s/ Illegible

/s/ Illegible

/s/ Illegible

/s/ Illegible

/s/ Illegible

/s/ Illegible

/s/ Illegible

APPENDIX K.

**Order Amending Findings of Fact, Conclusions of Law
and Judgment to Accord With Supreme Court
Decision.**

In the Superior Court of the State of Washington
for King County.

State of Washington, Plaintiff, v. Ralph Williams'
North West Chrysler Plymouth, Inc., et al., Defendants.
No. 729 320.

Filed: Nov. 8, 1976.

THIS MATTER having come on for hearing before
the court on motion of plaintiff to amend Judgment
to accord with Supreme Court decision, and the court
having considered the opinion of the Supreme Court
as issued on the appeal in this case, the Court hereby
enters the following order in conformity with that opin-
ion:

IT IS HEREBY ORDERED that the following
amendments be added to the Court's Finding of Fact,
Conclusion of Law and Judgment and Decree:

1) The following additional Finding of Fact: "The
acts and practices described in paragraph 66 and 67
herein are unfair and deceptive."

2) The following additional Conclusion of Law:
"Defendants' sale of two or more individual credit
life insurance policies when joint credit life insurance
policies were available was an unfair and deceptive
practice in violation of RCW 19.86.020."

3) The following additional injunctive provision to
follow paragraph B of the Judgment and Decree which
reads: Defendants and each of them are hereby enjoined
and restrained in the State of Washington from engaging
in the following conduct:

"Selling two or more individual credit life insurance
policies when joint credit life insurance policies are
available."

DONE IN OPEN COURT this 8th day of November,
1976.

/s/ David W. Soukup
DAVID W. SOUKUP, Judge

Presented by:
/s/ Barbara J. Rothstein
BARBARA J. ROTHSTEIN
Assistant Attorney General